

AMENDMENT TRANSMITTAL LETTER (Small Entity)			Docket No. 1373.016
Applicant(s): Rutenberg, et al.			
Serial No. 09/922,013	Filing Date August 3, 2001	Examiner W. H. Beisner	Group Art Unit 1623

Invention: **DETECTION OF EPITHELIAL DYSPLASIA**

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Transmitted herewith is an amendment in the above-identified application.

- ☒ Small Entity status of this application has been established under 37 CFR 1.27 by a verified statement previously submitted.
- ☐ A verified statement to establish Small Entity status under 37 FR 1.27 is enclosed.

The fee has been calculated and is transmitted as shown below.

CLAIMS AS AMENDED					
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE
TOTAL CLAIMS	24 -	26 =	0 x	\$9.00	\$0.00
INDEP. CLAIMS	5 -	5 =	0 x	\$42.00	\$0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$0.00

- ☒ No additional fee is required for amendment.
- ☐ Please charge Deposit Account No. _____ in the amount of _____
A duplicate copy of this sheet is enclosed.
- ☐ A check in the amount of _____ to cover the filing fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 02-2105
A duplicate copy of this sheet is enclosed.
- ☒ Any additional filing fees required under 37 C.F.R. 1.16.
- ☒ Any patent application processing fees under 37 CFR

Dated: January 21, 2003

Peter L. Berger
Signature
Peter L. Berger, Esq. Reg. No. 24,570
Levisohn, Lerner, Berger & Langsam, LLP
757 Third Avenue, Suite 2500
New York, New York 10017
Phone (212) 486-7272
Fax (212) 486-0323

I certify that this document and fee is being deposited on _____ with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Signature of Person Mailing Correspondence

Typed or Printed Name of Person Mailing Correspondence

cc:

CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)			Docket No. 1373.016
Applicant(s): <u>Rutenberg, et al.</u>			
Serial No. 09/922,013	Filing Date August 3, 2001	Examiner W. H. Beisner	Group Art Unit 1623
Invention: <u>DETECTION OF EPITHELIAL DYSPLASIA</u>		FAX RECEIVED JAN 22 2003	
ORIGINAL GROUP 1600			
I hereby certify that this <u>Amendment transmittal and Further Preliminary Amendment</u> (Identify type of correspondence) is being facsimile transmitted to the United States Patent and Trademark Office (Fax No. <u>703-308-4242</u>) on <u>January 21, 2003</u> (Date)			
Wanda Ruggiera (Typed or Printed Name of Person Signing Certificate) <u>Wanda Ruggiera</u> (Signature)			
Note: Each paper must have its own certificate of mailing.			

RECEIVED
JAN 27 2003
TC 1700

Full name of third inventor, if any Stephen Prist	Date 8/11/01
Third inventor's signature <i>[Signature]</i>	
Residence Monsey, NY	
Citizenship US	
Post Office Address 52 Highview Rd., Monsey, NY 10952	

Full name of fourth inventor, if any Donald Alan Kristt	Date 8/3/01
Fourth inventor's signature <i>[Signature]</i>	
Residence Petach Tikvah, Israel	
Citizenship Israeli	
Post Office Address 11 Degel Ruven, Petach Tikva, Israel	

Full name of fifth inventor, if any	Date
Fifth inventor's signature	
Residence	
Citizenship	
Post Office Address	

Full name of sixth inventor, if any	Date
Sixth inventor's signature	
Residence	
Citizenship	
Post Office Address	

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

In re application: Rutenberg, et al
Serial No.: 09/922,013
Filed: August 3, 2001
Art Unit: 1623
Examiner: W. H. Beisner
For: DETECTION OF EPITHELIAL DYSPLASIA
Docket No. 1373.016

January 21, 2003

12/8
2/8
2/3/03**VIA FAX (703) 308-4242**

Hon. Commissioner of Patents & Trademarks
Washington, D. C. 20231

FURTHER PRELIMINARY AMENDMENT

Sir:

Prior to a first examination, please amend this application as follows:

IN THE CLAIMS:

Please amend claims 18, 26, 28 and 29 as follows:

- D1 18. (Twice Amended) The system of claim 28, wherein the locations of said selected atypical cells are retrieved by said analytical apparatus for DNA ploidy analysis on a cell by cell basis.
- D2 26. (Twice Amended) The system of claim 24, wherein the location of said selected atypical cells are retrieved by said analytical apparatus for DNA ploidy analysis on a cell by cell basis.
- D3 28. (Twice Amended) A system to detect precancerous and cancerous cells in a cell population, said system comprising:
(a) brush means to collect said cell population,
(b) analytical apparatus comprising imaging apparatus for imaging said cell population,
(c) said imaging apparatus morphologically first selecting individual atypical cells from said cell population, and